

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1130 be amended to read as follows:

- 1 Page 2, line 7, delete "or".
- 2 Page 2, between lines 7 and 8, begin a new line double block
- 3 indented and insert:
- 4 **"(D) is substantially similar to a previous alleged violation**
- 5 **for which the alleged violator was offered an opportunity**
- 6 **to enter into an agreed order under section 3 of this**
- 7 **chapter; or".**
- 8 Page 2, line 8, delete "(D)" and insert "(E)".
- 9 Page 2, line 17, delete "or".
- 10 Page 2, line 19, delete "regulation." and insert "**regulation; or**
- 11 **(4) the alleged violation is an alleged violation of:**
- 12 **(A) a state statute;**
- 13 **(B) a federal statute or regulation;**
- 14 **(C) 45 IAC 2.2-3-20;**
- 15 **(D) 45 IAC 2.2-3-4;**
- 16 **(E) 45 IAC 2.2-5-8;**
- 17 **(F) 45 IAC 3.1-1-8;**
- 18 **(G) 45 IAC 3.1-1-1;**
- 19 **(H) 45 IAC 3.1-1-2;**
- 20 **(I) 45 IAC 3.1-1-97;**
- 21 **(J) 45 IAC 17-3-1;**
- 22 **(K) 45 IAC 17-3-6;**
- 23 **that is discovered in an inspection by the department of state**
- 24 **revenue."**

Page 3, after line 7, begin a new paragraph and insert:

"Sec. 5. Notwithstanding any other law, if:

(1) a notice of violation is issued in accordance with section 4 of this chapter because the alleged violator failed to substantially correct an alleged violation within the time specified in an agreement entered into under section 3 of this chapter;

(2) as a result of a final unappealable action, the person is determined to have committed the alleged violation; and

(3) the person is subject to a civil penalty or fine as a result of the violation;

a civil penalty or fine that is twice the maximum civil penalty or fine that would otherwise apply to the violation shall be imposed."

(Reference is to HB 1130 as printed January 12, 2011.)

Representative Candelaria Reardon